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April 30, 2009

VIA ECF AND FEDERAL EXPRESS

Honorable Faith S. Hochberg
United States District Judge
United States District Court
United States Post Office & Courthouse Building
Newark, New Jersey 07101

Re: **Aetna UCR Actions – MDL No. 20202**

American Medical Association v. Aetna Health Inc. PA, Corp. 09-579 (FSH)
Cooper v. Aetna Health Inc. PA, Corp., et. al. 07-3541(FSH)
Seney v. Aetna Health Inc., PA, Corp., 09-468 (FSH)
Tisko v. Aetna Health Inc. PA, 09-1577(FSH)
Weintraub v. Ingenix, Inc., 08-654 (D.Conn.)

Cigna UCR Actions

Franco v. Connecticut General Life Insurance Co., 07-6039 (FSH)
Chazen v. Connecticut General Life Insurance Co., 08- 4106 (FSH)
American Med. Ass. v. Connecticut General Life Insurance Co., 09-578 (FSH)
Shiring v. CIGNA, 09-1971(FSH)

Oxford UCR Action

Malchow v. Oxford Health Plans, Inc., 08-935 (FSH)

WellPoint UCR Action

Samsell v. WellPoint, 09-667 (FSH)

Blue Cross/Blue Shield UCR Actions

Becker v. Horizon Blue Cross Blue Shield of New Jersey, 09-1154 (FSH)
McDonough v. Horizon Blue Cross Blue Shield of New Jersey, 09-571 (FSH)

Honorable Faith S. Hochberg
April 28, 2009
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Dear Judge Hochberg:

As a follow up to our proposal yesterday regarding a proposed UCR structure, I have spoken to Mr. Nagel who correctly points out that the only UCR cases pending against Horizon Blue Cross are cases he filed. As such, Mr. Nagel and we agree that the Horizon Blue Cross component of the UCR structure does not need a committee, since only Mr. Nagel is prosecuting the cases against Horizon Blue Cross. Mr. Nagel will be able to fully coordinate his cases with the other UCR actions by working cooperatively with the other lawyers who, in our proposal, will Chair the respective proposed Subscriber executive committees.

Also, I wanted to inform you that I have been told by the proposed Provider Track Co-Lead Counsel that, as part of our proposed organization of the Provider Track, they will be recommending that Andrew Friedman of the firm Bonnett Fairbourn be designated as the Designated Counsel for non-Physician Providers. Mr Friedman will work within the proposed structure and will be able to assist, among other things, concerning any issues unique to the non-Physician providers.

As I mentioned yesterday, we are continuing our efforts in working toward the submission of a Joint CMO in which all of these matters will be reflected.

Thank you for your continued attention to these matters.

Respectfully submitted,

CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN



JAMES E. CECCHI

cc: All Counsel (via ECF and email)